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ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**ORACLE'S COMMENT ON ORDER
REGARDING MEDIATION
[Dkt. 386]**

1 Oracle concurs with the Court's view that an additional attempt at settlement of the case
2 through mediation before a United State Magistrate Judge is warranted. Oracle has found
3 previous efforts at settlement, including private discussions between the parties, frustrating for
4 lack of follow-through, and believes that those efforts have not exhausted the possibilities for
5 resolving the case.

6 As suggested by the Court, Oracle considers it essential that both parties bring top-level
7 executives. Accordingly, Oracle's executive representatives in the mediation before the
8 Magistrate Judge will be Safra Catz, President of Oracle Corporation, and Thomas Kurian,
9 Executive Vice President of Oracle Product Development.

10 Oracle will strive to make its representatives available as necessary and proposes that the
11 mediation occur before the end of September.

12 Dated: September 7, 2011

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15 By: /s/ Michael A. Jacobs
16 Michael A. Jacobs

17 *Attorneys for Plaintiff*
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